

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	MM Docket No. 98-49
Amendment of Section 73.202(b))	
Table of Allotments,)	
FM Broadcast Stations)	
Las Vegas, New Mexico)	
)	

To: Chief, Allocations Branch

COMMENTS OF MEADOWS MEDIA, LLC

Meadows Media, LLC ("Meadows") is one of three applicants for a construction permit for a new FM radio broadcast station to operate on Channel 244A in Las Vegas, New Mexico. BK Radio ("BK"), another applicant for the new station on Channel 244A, has petitioned the Commission to allot Channels 268A and 275A to Las Vegas. Under BK's plan, BK and Meadows, respectively, would amend their applications to specify these alternate channels. The Commission published a notice of proposed rule making (63 *Fed. Reg.* 1970, April 21, 1998) ("the Notice") reflecting its tentative intention to amend the Table of FM Allotments (47 CFR §73.202(b), "Table") to add the new channels in Las Vegas.

Meadows hereby submits its comments in support of the BK plan. Upon amendment of the Table, Meadows will amend its application to specify operation on Channel 275A, and,

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upon a grant of its application, as amended, will promptly construct the Channel 275A facility.

The current comparative proceeding for Channel 244A is frozen, inasmuch as the parties were unable to reach a settlement during the waiver "window" which closed on February 1 of this year. Unless the BK plan is approved, years may pass before any one of the current applicants has a final grant for Channel 244A. On the other hand, if the Commission amends the Table as proposed, all of the mutually-exclusive applicants can build stations in Las Vegas sooner than would be possible under the present allotment scheme.

In the absence of this amendment to the Table, only one new station in Las Vegas would be built. Presumably that station would only be built after competitive bidding among the applicants for the station. The competitive bidding would only take place after the Commission proposes the rules for the competitive bidding, and after those rules are issued as a Final Order. Given the heightened interest in these competitive bidding procedures, it is a near certainty that at least one party will petition the Court of Appeals to review the rules after they are issued by the Commission. The typical Court appeal lasts roughly a year, even if the agency decision is affirmed. If the Court should find the rules wanting in some respect, the FCC will have to create new rules, a process which will no doubt take close to a year. In short, it will be a very long time before any one of the three current applicants has a final

grant on Channel 244A. No applicant can construct the new station at Las Vegas and initiate new service until all these lengthy steps have been accomplished.

Further, the BK plan will ensure an increased diversity of broadcast voices in Las Vegas. Sangre de Cristo Broadcasting Co. (one of the applicants for Channel 244A) already controls AM radio broadcast station KNMX in Las Vegas. If that applicant were to be the high bidder at an eventual auction of Channel 244A, and then prevailed after consideration of any petitions to deny that might be filed against it, no new broadcast voice would be added to Las Vegas.

By contrast, under the BK plan the Commission is assured that two independent parties (neither of whom has any existing media outlet in the Las Vegas area) will provide opportunities for expression of contrasting viewpoints to those heard over the Sangre de Cristo stations.


In summary, amending the Table as the Commission has proposed in the Notice will allow additional service to be initiated in Las Vegas with reasonable dispatch and with maximum diversification. On the other hand, if the Commission decides not to amend the Table, the citizens of Las Vegas will suffer an indeterminate delay in receiving new service, with, at best, only one broadcast voice serving the community.

Meadows hereby confirms its willingness to amend its application to specify service on Channel 275A when the Commission amends the Table of Allotments as proposed in the Notice.

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Respectfully submitted,

MEADOWS MEADOW, LLC

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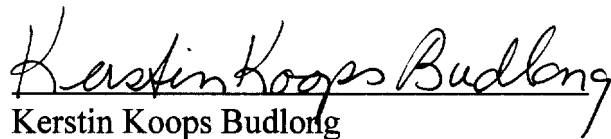
Dated: June 1, 1998

CERTIFICATE OF SERVICE

I, Kerstin Koops Budlong, hereby certify that on this date I caused the foregoing "Comments of Meadows Media, LLC" to be served by U.S. first class mail, postage prepaid, on the following:

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Dated: June 1, 1998